

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

YVONNE BROWN, et al,
Plaintiffs

v.

**LOUISIANA OFFICE OF STUDENT
FINANCIAL ASSISTANCE, et al,**
Defendants

: CIVIL ACTION NO. 3:06-CV-0950-R
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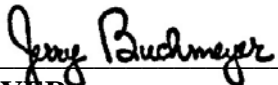
MEMORANDUM OPINION AND ORDER

Before the Court is Defendants Psychiatric Solutions, Inc. and Hickory Trail Hospital's **MOTION TO DISMISS** pursuant to Federal Rule of Civil Procedure 12(b)(5) and 12(b)(6) (filed March 14, 2007) (Dkt. 65). Plaintiff filed no response to the motion. After careful consideration of all parties's submissions and the law applicable to the issues before the Court, the Court **DENIES** the Motion to Dismiss. The Court finds that Plaintiffs have failed to comply with Federal Rule of Civil Procedure 4(h)(1). Therefore, service of process to Psychiatric Solutions, Inc. and Hickory Trail Hospital is hereby quashed and Plaintiff is **ORDERED** to provide the Court with the names of the proper agents for service of process for Hickory Trail Hospital and Psychiatric Solutions, Inc. by June 3, 2007.

Additionally, the Court **DENIES** the motion on 12(b)(6) grounds as the issue is premature.

It is so ORDERED.

SIGNED this 22nd day of May, 2007.



JERRY BUCHMEYER
SENIOR UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS